

**APPLICANTS:**  
**Charles & Linda Whitby and**  
**The Highland School Foundation, Inc.**

**BEFORE THE**  
**ZONING HEARING EXAMINER**

**REQUEST: A special exception to conduct**  
**a school for children with learning disabilities**  
**for grades kindergarten through 8**

**FOR HARFORD COUNTY**  
**BOARD OF APPEALS**

**HEARING DATE: April 21, 2004**

**Case No. 5408**

### **ZONING HEARING EXAMINER'S DECISION**

**APPLICANTS:** Charles & Linda Whitby and  
The Highland School Foundation, Inc.

**LOCATION:** Creswell Road, south of Creswell, Bel Air  
East Side of Creswell Road, south of MD Route 136  
Tax Map: 57 / Grid: 2D / Parcel: 44  
First Election District

**ZONING:** AG / Agricultural

**REQUEST:** A Special Exception pursuant to Section 267-53C(7) of the Harford County Code to conduct a school for children with learning disabilities from grades K through 8 in an Agricultural District.

#### **TESTIMONY AND EVIDENCE OF RECORD:**

Representing the Applicant, The Highland School Foundation, Inc., testified Wayne Tapscott. Mr. Tapscott identified himself as the spokesperson for The Highland School. He described The Highland School as a school for children with learning disabilities. The school provides an intensive learning environment for children in grades Kindergarten through eighth grade. The school typically accepts children from public school for up to two years, and provides them with an intensive learning experience that public schools are not able to provide. Currently the school has capacity for 46-47 children, located in the old Highland School in Highland, Maryland. There is a long waiting list and the school has decided that it needs to expand its facilities in order to meet the demand. The planned school on the subject property would have a maximum capacity of 125 students.

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The subject property is an approximately 18 ½ acre parcel to be subdivided from a larger parcel owned by the Co-Applications, Charles B. and Linda V. Whitby. Referring to Applicant's site plan, Mr. Tapscott explained that the property, which lies along MD Route 543 south of Creswell, would have parking and a school building on the Creswell Road side portion; the middle third of the property would be used for athletic fields; and the last third of the property would be utilized for sewage disposal and storm water management. The school will be serviced by private water and sewer. Preliminary percolation tests have been conducted which indicate an adequate area for a septic reserve. However, the Health Department has not yet approved the design or location of the septic reserve area. Mr. Tapscott projects the initial enrollment of the school at about 75 students, and over time will reach its planned capacity of 125 students.

The school facility itself will consist of approximately 12 classrooms, a music room, gymnasium, and administrative offices. The school has no plan to expand beyond the 125 student capacity.

Mr. Tapscott does not believe there would be any adverse impact upon the neighborhood. He believes the school would be a good neighbor and should blend into the neighborhood. The conditions proposed by the Department of Planning and Zoning are acceptable.

Susan Walter of 3110 Nova Scotia Road, a concerned resident of the area, cross-examined Mr. Tapscott. Ms. Walter explained that she is a resident of the Quail Creek Community, located north of the subject property. Mr. Tapscott, upon questioning by Ms. Walter, explained that there will be lighting on site, although efforts will be made to eliminate light pouring over onto other property. No decision has been made about whether the athletic fields will be lit.

Mr. Tapscott believes that, for the most part, after hours activities at the school facility will be school related activities. He does not anticipate other groups using the facility. Mr. Tapscott and the school are anxious to use the facility for their mission, which is helping children with learning disabilities.

Mr. Harold Smith, an immediately adjoining neighbor, then questioned Mr. Tapscott. Mr. Smith observed that there is very inadequate percolation, generally, in the area. He believes that the proposal is ill-conceived, and also expressed his belief that the school would contribute to an already bad traffic situation along Route 543.

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Next for the Applicant testified Judy Churn, 104 Prospect Mill Road, Bel Air. Mrs. Churn identified herself as a registered nurse working for Harford County. Mrs. Churn has two children, one of whom has a learning disability and who attends The Highland School. Her child, who has a hyper activity attention deficient disorder and writing disability, was diagnosed at about four years of age. At public schools he experienced many problems. He needed individual attention. Mr. and Mrs. Churn, as a result, enrolled their child at The Highland School. From a class of 30 at County public school, he is now in a class of 12-14. There is one instructor for every two children. That cannot be provided in a public school, according to Mrs. Churn. Her child has increased his learning skills significantly, and has made good progress. She believes the Highland School performs a very valuable service.

Mrs. Churn indicated that the current facility is not large enough to meet the demand. She believes that a new facility will be able to reach more children, and continue its good work. She is in favor of the proposed move.

Next for the Applicant testified Kenneth Schmid, offered and accepted as an expert traffic consultant. Mr. Schmid has prepared a Traffic Study and Analysis of the potential impact of the school on traffic in the area. Mr. Schmid, in his study, was particularly focused on the peak hours of operation of the school, commenting that the peak hours of operation are somewhat different from the peak hours of travel along Route 543.

According to Mr. Schmid, peak hours of traffic impact for Route 543 are 6:30 a.m. to 7:30 a.m., and about 4:15 p.m. to 6:15 p.m. However, the peak hours of traffic impact from school traffic is 7:30 a.m. to 8:30 a.m. and 2:30 p.m. to 3:30 p.m. Mr. Schmid based his finding on the school's opening at 8:00 a.m. and closing at 3:00 p.m.

Mr. Schmid studied the intersection of the school driveway at Route 543; the intersection of Route 543 and I-95; and the intersection of MD Route 543 and Route 136. Mr. Schmid also included background development, which is development in the area approved but not yet built. He also took into account existing road usage. He took data from the current Highland School operation, from which he extrapolated projected expected traffic at the new, expanded school

Based on all of the above, Mr. Schmid arrived at finding that all studied intersections except the school driveway at Route 543, will operate at satisfactory levels of service during the time studied, which is the a.m. and p.m. peak levels of traffic for the school. All worked within capacity. However, Mr. Schmid did not mean to suggest that the intersections worked at satisfactory levels at all other times during the day.

Mr. Schmid also expects that the State Highway Administration will require acceleration and deceleration lanes at the site of the school, and perhaps other roadway improvements. His studies anticipated that such improvements would be made.

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Mr. Schmid further testified that in arriving at his conclusions, he estimated that during the 7:30 to 8:30 a.m. peak hour, there would be 120 trips into the school site, and 66 trips out. During the 2:30 to 3:30 p.m. peak hour for the school, there would be 66 trips in and 89 trips out. Mr. Schmid estimated that approximately 35% of the traffic would either come from or would be northbound; 65% will be coming from the south or will be southbound. The traffic counts on Route 543 are between 15,000 - 16,000 cars per day. Peak hour traffic is approximately 10%, as rule, of total daily traffic counts.

Mr. Schmid does not believe there is a need for a signal at the intersection of the school driveway and Route 543. He sees no need for a restricted right out, at least at this time.

Mr. Schmid, upon being cross-examined by Ms. Walter, stated he did not investigate after school activity, and his figures did not take into account after hours school activities, either in or out. There could be a different traffic pattern if the school or its facilities were open after regular school hours, depending on the uses. Mr. Schmid anticipated no buses or shuttles would come in and out. The students are transported by private cars.

Mr. Harold Smith, in addressing Mr. Schmid's comments, stated that the roads are full of people, and there is no room on Route 543, which is two lanes, for any more traffic.

Mr. Schmid anticipated the total traffic in and out of the site to be 350-375 trips which is the total of cars ingressing and egressing the site.

On re-cross, Mr. Schmid agreed that Route 543 is a very busy road. Traffic will continue to increase whether the school is built or not. Special events should not have an impact on his traffic projections. His studies are an attempt to assess normal impact on the road system.

The sight distances along Route 543 are adequate in Mr. Schmid's opinion, well within acceptable limits. Mr. Schmid did not factor into the study the use by Route 543 of any farm equipment. He believes that the impact on Route 543 as traveled by farm equipment would be negligible.

In conclusion, Mr. Schmid believes that the road system in the neighborhood of the proposed school will function satisfactorily with the projected traffic of the new school.

Next for the Applicant testified Rowan Glidden, offered and accepted as an expert in land planning. Mr. Glidden was involved in the preparation of the site plan for the proposed school. He has reviewed and is familiar with all applicable development regulations.

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Mr. Glidden explained that the proposed site, being 18 ½ acres, will be subdivided from a larger farm owned by the Co-Applicants, Mr. and Mrs. Whitby. The high point of the property is its northwest corner, with James Run following the approximate northern boundary line of the property to its north. The project will meet all Harford County sediment and storm water management requirements, with the planned storm water management facility to be in the northeast quadrant of the property. When fully developed, less than 20% of the site will be impervious surface. There should be minimal grading on site.

Mr. Glidden explained that the property had been perc tested in early April, with approximately 13 test pits were dug, with 10 passing. This indicated an adequate available size for the septic reserve area.

Mr. Glidden believes that the property will fully comply with all standards of Section 267-9I of the Harford County Development Regulations. Mr. Glidden further believes that the school would have no greater impact at this site than at a similar site zoned agricultural either within the vicinity of the proposed site or elsewhere within Harford County. The property has good access to a public road. Mr. Glidden finds the proposed Department of Planning and Zoning conditions to be acceptable.

Upon cross-examination by Ms. Walter, Mr. Glidden acknowledged that he had not conducted a survey of the opinions of the surrounding neighborhood and neighbors.

A lighting study has not yet been done, but Harford County regulations require that lighting be directed down, on site, to avoid “spill over” onto adjoining properties.

Mr. Glidden stated that the project must comply with Harford County Health Department Regulations for the septic system, including septic reserve location and size. He does not, however, believe that pumping of sewage will be necessary. If so, the pump will only run when necessary. The noise will not be constant, it will be intermittent.

There have been no studies done as to ground water. No determination has yet been made as to whether adequate well water will be available. Water consumption has not yet been established, nor has there been any studies done on water availability or impact.

A fence will run around the property. This fence will be a four board, white fence, identical to the fence which now exists on the Whitby property. This is a requirement of the sale. A further requirement is that landscaping be installed. The Applicant proposes to install landscaping around the perimeter of the property and has filed a concept landscaping plan showing its preliminary proposal in this regard.

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The storm water management facility is not planned to be fenced, although that is a matter which will be determined by Harford County.

The dumpsters and loading area to the northwest side of the property will be fully screened from view.

Ms. Walter then stated that she wished to have appropriate screening.

For the Department of Planning and Zoning then testified Anthony McClune. Mr. McClune testified that the Applicant can meet or exceed all applicable requirements, as outlined in the Staff Report.

The subject property contains more road frontage then required, is a larger lot area than required, and all setbacks can be fully met. The proposed project complies with the requirements of § 267-9I. Mr. McClune, and the Department, believe that the proposed project would have no greater impact at the proposed location that it would at any other location within the district.

The proposed project should have no adverse impact on roadways, provided improvements are made to its access, as will be required by the State Highway Administration. A final traffic impact analysis will be required at the time of final approval by the Department.

Mr. McClune indicated that a conceptual landscape plan has been submitted, and is Attachment 11 to the Staff Report. A final landscape plan and lighting plan must be submitted for review and approval. The conceptual landscape plan appears to be adequate.

On cross-examination by Ms. Walter, Mr. McClune indicated that he has been involved in many reviews and approvals of schools and similar institutional projects. He understands their potential impact, and feels that he can give a knowledgeable opinion about their impact. The Health Department will be required to determine well water availability as well as on-site septic system requirements.

Ms. Susan Walter then testified in opposition. Ms. Walter lives on Nova Scotia Road, approximately one mile from the subject property. She believes that the increased traffic to be generated by the school onto Creswell Road will adversely impact her as a commuter. The project similarly has the potential to impact her well water, and believes the school is in inappropriate use in a rural district.

She believes that not enough thought has gone into how the proposed project will affect well water and traffic. She also believes that the facility will be used for other, non-school events. She believes that non-school related use of the facilities will further impact the community. She is not against the school per se. She believes that this is not an appropriate use for the area, and is not appropriate to located adjacent to Creswell Road which is already over taxed. She does not believe the special exception should be granted. She also testified that she and her neighbors have had problems with well water availability in the area.

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Next in opposition testified Harold Smith, an adjoining neighbor. Mr. Smith testified he had no opposition to the school as such. He just thinks it is being located in the wrong place. Mr. Smith believes there is plenty of water in the area, and the proposed project should have no impact on his well. However, he remains worried about the future. He also has concerns about the percolation of the site, believing the percolation in general in the area is bad. He is also concerned about traffic. Route 543 is a dangerous and heavily traveled road, and he believes the proposed project will exacerbate that situation.

Mr. Glidden was then recalled. Mr. Glidden believes there is sufficient landscaping around certain areas of the property to act as a full screen, and that the landscaping will only be supplemented. Additional landscaping, in particular, will be provided along the northern boundary. However, there will not be a solid screening along Route 543. Mr. Glidden referred to the conceptional landscape plan as an indication of the Applicant's plan.

### **APPLICABLE LAW:**

Section 267-11 of the Harford County Code allows the granting of a variance to the requirements of the Code:

*“Variances.*

*A. Except as provided in Section 267-41.1.H., variances from the provisions or requirements of this Part 1 may be granted if the Board finds that:*

*(1) By reason of the uniqueness of the property or topographical conditions, the literal enforcement of this Part 1 would result in practical difficulty or unreasonable hardship.*

*(2) The variance will not be substantially detrimental to adjacent properties or will not materially impair the purpose of this Part 1 or the public interest.*

*B. In authorizing a variance, the Board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary, consistent with the purposes of the Part 1 and the laws of the state applicable thereto. No variance shall exceed the minimum adjustment necessary to relieve the hardship imposed by literal enforcement of this Part 1. The Board may require such guaranty or bond as it may deem necessary to insure compliance with conditions imposed.*

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- C. *If an application for a variance is denied, the Board shall take no further action on another application for substantially the same relief until after two (2) years from the date of such disapproval.”*

This special exception request is governed by Section 267-53C(7) of the Harford County Code:

“C. *Institutional uses.*

- (7) *Schools, colleges and universities. These uses may be granted in any district, except the LI and GI Districts, provided that:*

- (a) *Schools, colleges and universities which offer any general academic instruction at levels above the eighth grade must have:*

(1) *A parcel of at least three acres. An additional eight hundred seventy-five square feet of parcel area will be required for each student in excess of fifty.*

(2) *A parcel frontage of at least three hundred feet.*

(3) *A front yard depth of at least fifty feet, a side yard depth equal to at least two times the height of the tallest institutional building located on the parcel which is approximate to the side lot line and a rear yard depth of at least fifty feet.*

- (b) *Kindergartens must have:*

(1) *A parcel area of at least twenty thousand square feet per fifteen students or fraction thereof.*

(2) *A parcel frontage of at least one hundred feet.*



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- (3) *A front yard depth of at least forty feet, a side yard depth equal to at least the height of the tallest institutional building located on the parcel which is proximate to the side yard and a rear yard depth of at least forty feet.*
- (c) *All other educational institutions must comply with the following:*
  - (1) *Where the maximum attendance at any one time does not exceed forty students, such institution must have:*
    - (a) *A parcel area of at least twenty thousand square feet per fifteen students or fraction thereof.*
    - (b) *A parcel frontage of at least one hundred fifty feet.*
    - (c) *A front yard depth of at least forty feet, a side yard depth equal to at least the height of the tallest institutional building located on the parcel which is proximate to the side yard and a rear yard depth of at least forty feet.*
  - (2) *Where the maximum attendance at any one time exceeds forty students, such institution must have:*
    - (a) *A parcel area of at least three acres, plus seven hundred square feet for each student in excess of sixty.*
    - (b) *A parcel frontage of at least two hundred feet.*
    - (c) *A front yard depth of at least fifty feet, a side yard depth equal to at least two times the height of the tallest institutional building located on the parcel which is proximate to the side yard and a rear yard depth of at least fifty feet.*

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- (d) *School buses shall be garaged or shall be stored in an area to the rear of the main building and adequately screened.*
- (e) *A buffer yard ten feet wide shall be provided along the boundary with an adjacent residential lot.*

Section 267-51 of the Harford County Development Regulations, Purpose states:

*“Special exceptions may be permitted when determined to be compatible with the uses permitted as of right in the appropriate district by this Part 1. Special exceptions are subject to the regulations of this Article and other applicable provisions of this Part 1.”*

Section 267-52 of the Harford County Development Regulations, General Regulations states:

- “A. Special exceptions require the approval of the Board in accordance with Section 267-9, Board of Appeals. The Board may impose such conditions, limitations and restrictions as necessary to preserve harmony with adjacent uses, the purposes of this Part 1 and the public health, safety and welfare.*
- B. A special exception grant or approval shall be limited to the final site plan approved by the Board. Any substantial modification to the approved site plan shall require further Board approval.*
- C. Extension of any use or activity permitted as a special exception shall require further Board approval.*
- D. The Board may require a bond, irrevocable letter of credit or other appropriate guaranty as may be deemed necessary to assure satisfactory performance with regard to all or some of the conditions.*
- E. In the event that the development or use is not commenced within three (3) years from date of final decision after all appeals have been exhausted, the approval for the special exception shall be void. In the event of delays, unforeseen at the time of application and approval, the Zoning Administrator shall have the authority to extend the approval for an additional twelve (12) months or any portion thereof.”*

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### **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

A review of the Harford County Development Regulations, Principal Permitted Uses for Specific Zoning Districts, reveals a multitude of uses which are principally allowed in the agricultural district. Among those uses are parks, libraries, churches, fire stations, agricultural uses, forestry, greenhouses, and certain residential uses, including single family detached dwellings. It is found, accordingly, that the proposed private school on 18+ acres, with an enrollment of no more than 125 students, and built in substantial compliance with the site plan, would be compatible with the uses permitted as of right in the agricultural district.

Furthermore, it is found that the proposed private school would fully comply with all applicable specific standards pursuant to Section 267-53 of the Development Regulations, as follows:

*C. Institutional uses.*

*(7) Schools, colleges and universities. These uses may be granted in any district, except the LI and GI Districts, provided that:*

*(a) Schools, colleges and universities which offer any general academic instruction at levels about the eight grade must have:*

This section is not applicable. The proposed request is for Kindergarten through eight grade.

*(b) Kindergartens must have:*

*(1) A parcel area of at least twenty thousand square feet per fifteen students or fraction thereof.*

This requirement is fully met.

*(2) A parcel frontage of at least one hundred feet.*

The lot frontage is approximately nine hundred feet.

*(3) A front yard depth of at least forty feet, a side yard depth equal to at least the height of the tallest institutional building located on the parcel which is proximate to the side yard and a rear yard depth of at least forty feet.*

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This requirement is proposed to be fully complied with. Adequate property exists for easy compliance.

(c) *All other educational institutions must comply with the following:*

(1) *Where the maximum attendance at any one time does not exceed forty students, such institution must have:*

This provision, including its subsections, is not applicable as the school attendance will exceed forty students.

(2) *Where the maximum attendance at any one time exceeds forty students, such institution must have:*

(a) *A parcel area of at least three acres, plus seven hundred square feet for each student in excess of sixty.*

This requirement is fully met.

(b) *A parcel frontage of at least two hundred feet.*

This requirement is fully met, as the frontage is approximately nine hundred feet.

(c) *A front yard depth of at least fifty feet, a side yard depth equal to at least two times the height of the tallest institutional building located on the parcel which is proximate to the side yard and a rear yard depth of at least fifty feet.*

This requirement is proposed to be fully met.

(d) *School buses shall be garaged or shall be stored in an area to the rear of the main building and adequately screened.*

This requirement can be met as the Applicant indicated there will be no school buses on the site. A condition of approval will be that no school buses be garaged or stored on the subject property.

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- (e) *A buffer yard ten feet wide shall be provided along the boundary with an adjacent residential lot.*

This requirement will be fully met and, in fact, is proposed to be exceeded.

Furthermore, the application must, as do all applications, comply with the requirements of Section 267-9I of the Harford County Development Regulations, Limitations, Guides and Standards.

It is found that the Applicant fully complies with those standards, as follows:

- (1) *The number of persons living or working in the immediate area.*

The subject property is located north of I-95 in a rural area of the County. This area of the County contains a mix of agricultural, residential, and institutional uses with a small commercial area to the north.

- (2) *Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities, the access of vehicles to roads; peak periods of traffic, and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future.*

Traffic is, in fact, the main concern of the neighbors concerning this Application, as it must be of any objective individual reviewing this proposal.

Maryland Route 543 is a heavily traveled thoroughfare to and from I-95, and its use will, in all likelihood, increase in the future as the County develops. Concerns of neighbors can easily be understood in this context.

However, the potential impact of the proposed school on the traffic carrying capacity of Route 543 is, in fact, negligible. Route 543 has a daily traffic count of over 16,000 vehicles. The proposed school will generate, approximately, 375 - 400 combined trips per day. Its impact on Route 543 is virtually insignificant with its main impact being during off peak traffic times. In short, traffic impact does not rise the level where it would be considered as having an adverse impact, or indeed even a perceptible impact on the traffic bearing capacity of Route 543, and related traffic conditions.

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A traffic analysis presented by the Applicant indicates that all studied intersections will function adequately, with the exception of the intersection of Maryland Route 543 at the projected school site access point. This impact can be mitigated, according to the traffic analysis, by providing separate outbound left and right turn lanes as well as a separate right turn lane into the school from the northbound Maryland Route 543. The functioning of this site access point at this level of service will cause an inconvenience to the users of the school, but should have no perceptual impact on Route 543 traffic flow, particularly with the intersection improvements as suggested by the Applicant.

- (3) *The orderly growth of the neighborhood and community and the fiscal impact on the County.*

The proposed use is permitted in the Agricultural District as a special exception with Board approval. The Code established guidelines to be used to approve the proposed use, and as discussed in this decision, the Applicants can meet or exceed the standards.

- (4) *The effect of odors, dust, gas, smoke, fumes, vibration, glare and noise upon the use of surrounding properties.*

The proposed use should not have an adverse impact with regard to these issues.

- (5) *Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal and the ability of the County or persons to supply such services.*

The Harford County Sheriff's Office and the Maryland State Police would provide police protection. The local Volunteer Fire Company would provide fire protection. Water and sewer will be provided by on-site private facilities. The Applicant will be required to contract with a private hauler to dispose of trash.

- (6) *The degree to which the development is consistent with generally accepted engineering and planning principles and practices.*

The proposal is recognized by the Harford County Code as a use that is compatible, provided specific requirements are met.

- (7) *The structures in the vicinity, such as schools, houses or worship, theaters, hospitals, and similar places of public use.*

This site is near the Eastern Christian College and a number of small churches. The Applicant has submitted an architectural rendering, which demonstrates that this structure will be consistent with other structures in the area.

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- (8) *The purposes set forth in this Part 1, the Master Plan and related studies for land use, roads, parks, schools, sewers, water, population, recreation and the like.*

The proposed use is consistent with the County's Master Plan.

- (9) *The environmental impact, the effect on sensitive natural features and opportunities for recreation and open space.*

There is no cognizable impact on any natural features of which only James Run was identified. The school will provide its own recreational facilities and open space.

- (10) *The preservation of cultural and historic landmarks.*

No cultural or historical landmarks have been identified.

It is further found that the impact of the proposed school at its planned location will have no greater impact than if it were located at any other location in the district. Short delays in leaving any school within Harford County are to be expected during the morning and afternoon peak traffic hours. The proposed school would be no different in this respect than most other schools in the County. Indeed, its relatively low student enrollment should have significantly less of an impact than would any other, if not most, other institutional uses which could be constructed on this site, or at other sites within the district.

While the concerns of the neighbors are well articulated and thoughtful, as a special exception the proposed school may not be rejected unless evidence shows it is not compatible with other principal permitted uses in an agricultural district, or that it has an adverse impact, for some reason, greater than would be normally expected of such a school within the agricultural district of Harford County. In fact, no evidence was presented to reasonably conclude that there would be such an increased, or greater, impact from the Applicants proposal.

### **CONCLUSION:**

For the above reasons it is recommended that the requested special exception be granted, subject the following conditions:

1. The Applicant shall submit a site plan to be reviewed and approved through the Development Advisory Committee. The site plan shall substantially conform to the plan submitted with the Application as Attachment 4.
2. The structure shall be built in substantial conformity with the architectural rendering submitted with the Application.

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3. The final plat creating this lot shall be recorded prior to application for any building permits.
4. That the Applicant construct those improvements recommended by the traffic impact study of April 2004, including separate outbound left and right turn lanes from the school, and a separate right turn lane onto the school from northbound Maryland Route 543. In the event the State Highway Administration denies approval for these improvements, the Applicants must return to the Board of Appeals for further review.
5. There shall be no school buses garaged or stored on the property at any time.
6. That any expansion of the school beyond that for which this approval is granted, which is a capacity of 125 students, shall be subject to further Board of Appeals review and approval.
7. That all lighting be directed onto the school property, and designed so as to eliminate “spill over” lighting.
8. That the property be surrounded by adequate landscaping, to be approved by the Harford County Department of Planning and Zoning, and to be in general conformity with the conceptual landscape plan submitted by the Applicant.

Date: May 21, 2004

ROBERT F. KAHOE, JR.  
Zoning Hearing Examiner